

## REMARKS

Claims 1-29 remain pending in this application.

Claim 11 has been withdrawn pending allowance of a generic claim.

Claims 1, 20, 22 and 29 are in independent form.

The Specification has been amended to correct some informalities, and, on page 13, to add the "adverse immune response reducers" mentioned in original Claim 18. No new matter was introduced.

Claim 1 has been amended to recite in non-functional language the two coating portions covering two distinct sections of the core and having different absorbability rates.

Support for this amendment may be found, among other places, on page 4, line 20, through page 5, line 13.

Claim 16 has been amended to recite the "buffer distance" of the part of the core extending into the passageway in language consistent with the Specification. Support for this amendment may be found on page 11, lines 18-25, of the Specification.

Claims 2-3 and 7-19 have been amended for conformity with Claim 1, and so has the withdrawn Claim 11.

Claims 4, 6, 20, 22, 25 and 27 have been amended to correct the informalities noted by the Examiner.

Applicant submits that the above-listed amendments overcome the objections to the Specification and the claims, and the rejection under 35 USC §112. The objections to the drawing are moot in view of the amendment of Claim 16 and the fact that the claimed structure is fully illustrated in Figure 3.

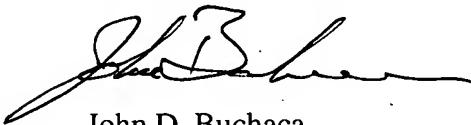
Applicant respectfully traverses the rejection for lack of novelty under 35 USC §102(b).  
Perry (WO 94/14390 A1) does not disclose or suggest an orbital implant having two coating portions of different absorbability rates covering two distinct sections of the implant as recited now in parent Claim 1; or two separate coating portions of different absorbability rates covering an implant outer surface as recited in parent Claims 20 and 22; or the combination of two coating portions of different materials having different bioabsorbability properties with an orbital implant as recited in Claim 29.

The cited reference discloses only several types of implant coatings which may be used alternately. Nowhere does it disclose fractional coating areas of different absorbability rates or other characteristics.

Lacking key elements recited in all the independent claims, the reference is not applicable in a USC 102 rejection.

In view of the above, allowance of all the pending claims is earnestly solicited.

Respectfully submitted,



John D. Buchaca  
Registration No. 37,289

1545 Hotel Circle South, Suite 150  
San Diego, California 92108-3426  
Telephone: (619) 294-2922  
Fax No. (619) 294-8674

040020

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 2, 2006, by John D. Buchaca, Reg. No. 37,289.

Signature:  Date: MAY 2, 2006